

North York Moors National Park Authority

District/Borough: Ryedale District
Parish: Thornton Le Dale

Application No. NYM/2016/0625/FL

Proposal: change of use of part of first floor offices (Use Class B1) together with construction of pitched gable extension to form 1 no. residential apartment (Use Class C3) together with construction of access ramp

**Location: Burgess Feeds Ltd
Priestmans Lane
Thornton-le-Dale**

Decision Date: 18 October 2016

Consultations

Parish – No objections

Highways – No objections subject to conditions regarding parking spaces

Yorkshire Water – No comments required

Environmental Health Officer –

Forestry Commission – Standing advice regarding ancient woodland and veteran trees.

Site Notice Expiry Date – 5 October 2016

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2.	PLAN02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3.	WPDR13	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 14, Classes A to I shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
4.	MATS03	All new stonework used in the development hereby permitted shall match that of the existing building including the colour and texture of the stone and the method of coursing and pointing unless otherwise agreed with the Local Planning Authority.
5.	MATS17	The roof of the development hereby permitted shall be clad in natural slate to match the roof of the existing building in terms of materials, colour and course height and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

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6.	MATS00 (as 41)	All new windows and doors in the development hereby permitted shall match those of the existing building in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals cills and lintels and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7.	MATS56	The roof lights to be installed in the development hereby permitted shall be a conservation style roof light unless otherwise agreed in writing with the Local Planning Authority.
8.	MATS00	The steel railings associated with the proposed development shall be coloured matt black (or another colour to be agreed in writing with the Local Planning Authority) and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9.	MATS00	No work shall commence on the installation of the proposed railings hereby approved until detailed plans showing the constructional details of the railings to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing. The window frames shall be installed in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10.	HWAY16	No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing 15/B25/OS03A. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason for Condition(s)

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3.	WPDR01	In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with NYM Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
4-5	MATS01	For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
6-9	MATS02	For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
10.	HWAY16	In accordance with NYM Development Policy 23 and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

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Background

Victory Mill comprises a substantial Mill building and listed Mill house located on Priestmans Lane within the Thornton Dale Conservation Area. The Mill building isn't listed.

Planning permission was granted in 2011 to convert the first, second and third floors of the west wing of the existing offices in the original mill building into 3 live/work apartments to be made available to rent.

There is a large car park on the opposite side of the road which provides about 76 spaces, and is shared by the residential/work units and the main Burgess Group offices.

This application seeks planning permission to change the use of part of the first floor office which was previously used as an office, meeting room, file storage area, stairwell and toilets for the Burgess Group, into a two bed apartment with open plan kitchen/dining area.

In order to provide sufficient headroom to the proposed entrance door, a gable will be constructed to allow access to first floor level from a dedicated access way. The extension will be constructed of stone to match existing with timber painted door to and slate roof to match existing. The proposed accommodation would be served by a dedicated access way from the existing rear car park, which would have railings along its length. Two rooflights would also be inserted in the side (east elevation) which faces towards the adjacent public footpath.

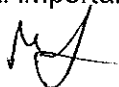
In support of the application the agent states that due to changes in technology, large areas of the offices have become redundant.

Main Issues

Core Policy CPJ of the Local Development Framework seeks to ensure the provision of a mixture of housing types and tenure to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing. This is to be achieved through locating all open market housing, including new build and converted units to the Local Service Centre of Helmsley and the Service Villages such as Thornton Dale. Development Policy 4 of the Local Development Framework seeks to ensure that development within or immediately adjacent to a Conservation Area either preserves or enhances the character and appearance or setting of the area.

Development Policy 11 of the Local Development Plan seeks to ensure the re-use of existing employment sites for economic purposes, unless the premises are not capable for economic re-use for reasons of viability and following an appropriate marketing exercise.

Core Policy G of the Local Development Plan seeks to ensure that the landscape, historic assets and cultural heritage of the National Park are conserved and enhanced, with particular protection being given to those elements which contribute to the character and setting of Conservation Areas, Listed Buildings, Historic Parks and Gardens or Scheduled Monuments and other sites of archaeological importance.



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Development Policy 4 of the Local Development Plan seeks to ensure that development within or immediately adjacent to a Conservation Area either preserves or enhances the character and appearance or setting of the area.

The provision of improved residential accommodation within Thornton Dale would be in accordance with CPJ of the LDP, but the loss of an economic use without evidence that there is no alternative is contrary to DP11.

However, DP11 has been somewhat superseded by Class O, Part 3 of the "Town and Country Planning (General Permitted Development) Order 2015 which sets out that the change of use of offices which have been in use as offices since before May 2013 can be changed into residential accommodation without the need for planning permission, provided that the developer applies for determination from the LPA as to whether prior approval is required regarding transport and highway impacts, contamination risks and flooding risks.

In this instance a full planning application has been submitted because external alterations are also proposed, but the principles of Class O are the primary consideration and on the basis that neither the Highway Authority nor EHO have raised any considered and there are no flooding issues, approval is recommended.

In terms of the external alterations, the Building Conservation Officer has expressed concerns that too much accommodation is sought, which has resulted in the need for two roof lights on the east facing roof slope. The Building Conservation Officer has suggested that one of the bedrooms be omitted to avoid the need for these. However, when considering the whole building, there are a number of roof lights on other roofs and it is not considered that a refusal could be upheld due to the impact of the two proposed roof lights. Furthermore, the requirement to reduce form a two bed to a one bed apartment is considered unduly onerous on the application.

The proposed gabled dormer with a door in and associated bridge would not normally be supported within a conservation area but it is considered that the bridge's utilitarian appearance is appropriate for the setting of the former mill and the dormer will have a limited impact on the character of the Conservation Area. Harm caused to the heritage asset will be less than substantial and this will be offset by the creation of a dwelling.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

Approval (No Amendments Required)

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.

